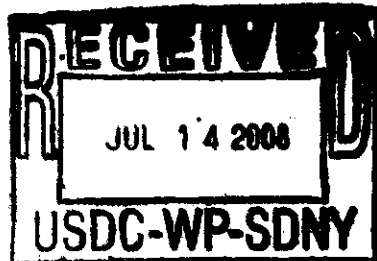




OFFICE OF THE DISTRICT ATTORNEY  
WESTCHESTER COUNTY

WESTCHESTER COUNTY COURTHOUSE  
111 Dr. Martin Luther King, Jr. Blvd.  
White Plains, New York 10601  
(914) 995-2000

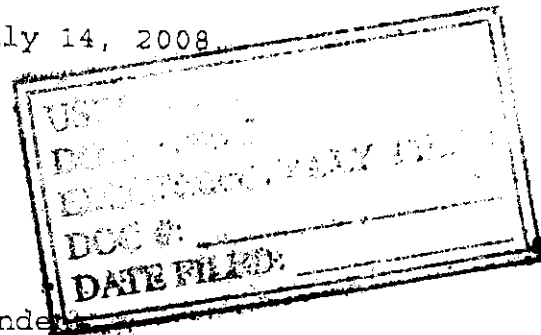
JANET DiFIORE  
DISTRICT ATTORNEY



MEMO ENDORSED

July 14, 2008

Hon. George A. Yanthis  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601



Re: Shawn Moses v. Ercole, Superintendent  
08 Civ. 3839 (KMK) (GAY)

Your Honor:

Pursuant to the Court's order of May 16, 2008, respondent's answer is required to be filed by July 15, 2008.

Due to numerous other matters pending in both state and federal courts, the issues raised by the petitioner, and a severe shortage of personnel in the section handling collateral post-conviction litigation for this Office, it is necessary that we request an extension of time in order to adequately respond to the allegations of the petition and provide the relevant exhibits. We request that respondent's time to answer be enlarged to July 25, 2008.

No prior request for such relief has been made. As the petition is pro se, petitioner's consent for this application has not been sought.

Thank you for your consideration of these matters.

*Application Granted;*

SO ORDERED:

*George A. Yanthis 7/14/08*  
Hon. George A. Yanthis  
United States Magistrate Judge.

Very Truly Yours,

JANET DiFIORE  
District Attorney

*Joseph M. Latino*  
Joseph M. Latino  
Assistant District Attorney

cc: Shawn Moses  
04 A 3531  
Green Haven Correctional Facility  
Stormville NY 12582

*Yanthis 7-14-08*